

1638 IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LINDERS et al

Serial. No.: 10/522,094

Filed: January 24, 2005

For: CLUBROOT RESISTANT BRASSICA
OLERACEA PLANTS

Art Unit: 1638

Examiner: Keith O'Neal Robinson

Atty Docket: 70059USPCT

Confirmation No.: 9236

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Form PTO-1449. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. In accordance with the United States PTO Official Gazette Notice of August 5, 2003, copies of all cited references except U.S. patents and U.S. patent applications are enclosed herewith.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the

merits. However, the Commissioner is authorized to charge any fee under 37 C.F.R. §1.17 that may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edouard G. Lebel". The signature is fluid and cursive, with a large initial "E" and "L".

Edouard G. Lebel, Ph.D.
Agent for Applicants
Registration No 43,742

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Date: *MARCH 29, 2006*



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4

Application Number	10/522,094
Filing Date	January 24, 2005
First Named Inventor	LINDERS et al.
Art Unit	1638
Examiner Name	Keith O'Neal Robinson
Attorney Docket Number	70059USPCT

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Syngenta Biotechnology, Inc.		
Signature			
Printed name	Edouard Lebel, Agent for Application		
Date	MARCH 29, 2006	Reg. No.	43,742

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Oksana Buynitzky	Date	3/29/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FORM PTO-1449
(REV. 7-85)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**INFORMATION DISCLOSURE CITATION**ATTY. DOCKET NO.
70059USPCT
APPLICATION NO.
10/522,094
APPLICANT
LINDERS et al.
FILING DATE:
January 24, 2005Confirmation No.
9236
Group
1638

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	<u>TRANSLATION</u>	
							YES	NO
	B							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	C	Crisp et al. <i>The exploitation of genetic resources of Brassica oleracea in breeding for resistance to clubroot (Plasmodiophora brassicae)</i> <i>Euphytica</i> , Vol. 42, (1989), pp. 215-226						
	D	Hu et al. <i>Linkage group alignment from four independent Brassica oleracea RFLP maps</i> <i>Genome</i> , Vol. 41, (1998), pp. 226-235						

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.